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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF WYOMING

RAYMOND CALDWELL,

Plaintiff,

vs.

TETON CLUB OWNERS ASS'N., INC.;  
RAINTREE RESORTS MGMT. CO., LLC'  
and JOHN DOES 1-10

Defendants.

Civil No. 20-CV-00064-NDF

**JOINT CASE MANAGEMENT  
REPORT**

COME NOW Plaintiff Raymond Caldwell and Defendant Teton Club Owners Association, Inc., and Raintree Resorts Management Co., LLC, by and through their respective counsel of record and hereby submit this Joint Case Management Report pursuant to the Court's General Order Setting Requirements for Initial Pretrial Conferences before the Honorable Nancy Freudenthal.

1. The names of counsel who attended the Rule 26(f) meeting and assisted in developing the Case Management Statement:

Response: Alex F. Freeburg for Plaintiff; Julian E. Gabiola for Defendant.

2. A list of the parties in the case, including any parent corporations or entities (for recusal purposes);

Response: Raymond Caldwell, Plaintiff, Defendants Teton Club Owners, Ass'n, Inc., and Raintree Resorts Mgmt. Co., LLC

3. A short statement of the nature of the case:

Response: Plaintiff alleges that on January 6, 2017, he was using a hot tub at Teton Club and after he finished using the hot tub, he walked back to a unit he was renting for the winter and slipped and fell on ice that he alleges was an unnatural accumulation caused by water from the hot tub. Plaintiff alleges that he suffered injuries from the fall. He alleges that Defendants were negligent and are liable for his injuries. Defendants deny Plaintiff's claims and have denied liability.

4. A statement describing the basis for jurisdiction and citing specific jurisdictional statutes.

Response: Jurisdiction is based on diversity, 28 U.S.C. 1332 as Plaintiff is a citizen of Alaska and Defendant Teton Club resides in Wyoming and Raintree Resorts resides in Texas. The amount in controversy is alleged to be in excess of \$75,000.

5. A list of any parties who have not been served, and an explanation of why they have not been served. Also a list of any parties who have been served, but have not answered or otherwise appeared;

Response: All named parties have been served.

6. A statement of whether any party expects to add additional parties to the case or otherwise amend pleadings;

Response: While no party expects to add additional parties to the case or amend pleadings, Plaintiff wishes to conduct discovery to confirm that the appropriate parties have been named.

7. Whether there are dispositive or partially dispositive issues appropriate for decision by motion or by agreement;

Response: Defendant believes that there may be dispositive issues appropriate for decision by motion.

8. The nature and type of discovery each party intends to pursue and, whether discovery is an issue and whether the discovery should be limited in any manner;

Response: The parties intend to undertake written discovery and depositions.

The parties do not believe discovery is an issue or that it should be limited in any manner.

9. The status of related cases pending before other courts or other judges of this Court;

Response: There are no other related cases.

10. Proposed specific dates for each of the following, keeping in mind that trial should occur within nine (9) months from the date of the Initial Pretrial Conference, unless there are unusual or unique circumstances.

Response:

- a. Initial Disclosures: July 17, 2020
- b. Expert Disclosure: Plaintiff: December 11, 2020

Defendant: January 15, 2020

Rebuttal: January 29, 2020

- c. Completion of fact discovery: February 12, 2021
- d. Deadline to file dispositive Motions: February 12, 2021
- e. Completion of expert discovery: March 5, 2021
- f. Deadline to file Rule 702 or Daubert motions: March 5, 2021.
- g. Deadline for hearing on dispositive motion: Court's discretion
- h. Date for final pre-trial conference: Court's discretion
- i. Date for trial: Court's discretion

11. The estimated length of trial and any suggestions for shortening the trial;

Response: 4 days

12. The prospects for settlement, including any request of the Court for

assistance in settlement efforts;

Response: Unknown at this time.

13. Any other matters that will aid the Court and parties in resolving this case

in a just, speedy, and inexpensive manner.

Responses: None

DATED this 1st day of July, 2020.

FREEBURG LAW, LLC

By s/  
Alex F. Freeburg  
Attorneys for Plaintiff

DATED this 1st day of July, 2020.

HAWLEY TROXELL ENNIS & HAWLEY LLP

By s/  
Julian E. Gabiola  
Attorneys for Defendants